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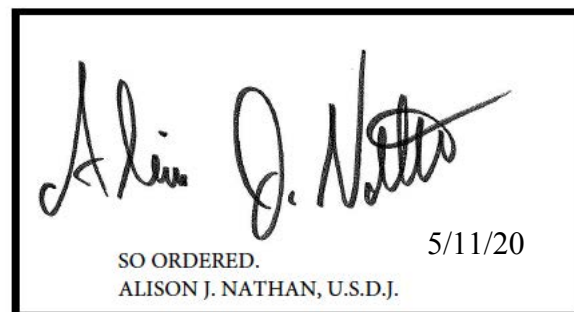212-210-9400 | Fax: 212-210-9444

Alexander S. Lorenzo   Direct Dial: **212-210-9528**   Email: **alexander.lorenzo@alston.com**

VIA ECF

May 7, 2020

Honorable Alison J. Nathan
United States District Judge
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

[signature]

5/11/20

SO ORDERED.
ALISON J. NATHAN, U.S.D.J.

Re: *Hertz Global Holdings, Inc. v. Nat. Union Fire Ins. Co. of Pittsburgh and U.S.*
      Specialty Ins. Co., Case No.: 1:19-cv-06957 (AJN) (S.D.N.Y.)

Dear Judge Nathan:

        This firm represents Defendant National Union Fire Insurance Company of Pittsburgh, Pa. ("National Union") in the above-referenced action. I write to reaffirm National Union's position as set forth in my letter of May 6, 2020 seeking the Court's approval of the Parties' joint request for a consolidated briefing schedule on (i) Plaintiff Hertz Global Holdings, Inc.'s ("Hertz") forthcoming motion for leave to file a second amended complaint ("SAC") and (ii) Defendants' motion to dismiss the first amended complaint ("FAC") (Dkt. No. 57).

        The Court's entry of the Parties' joint scheduling request would have extended today's existing deadline for Defendants to move to dismiss the FAC. With the Parties' joint scheduling request still pending as of this evening, in an abundance of caution, National Union filed its motion to dismiss the FAC earlier this evening. (Dkt. No. 59).

        National Union remains committed to the Parties' agreement as set forth in its May 6 joint scheduling request. Accordingly, National Union respectfully requests that if the Court grants the Parties' joint scheduling request, the Court also administratively SO dismiss without prejudice the motion to dismiss the FAC that was filed this evening. ORDERED.

        We are available at Your Honor's convenience should Your Honor require any additional information.

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May 7, 2020
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Respectfully submitted,

/s/ Alexander S. Lorenzo

Alexander S. Lorenzo

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cc: Counsel of Record